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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/517,778	Tetsuo Ikezono	P26460

INTERNATIONAL APPLICATION NO.
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PCT/JP03/08123

I.A. FILING DATE	PRIORITY DATE
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06/26/2003

06/27/2002

7055

GREENBLUM & BERNSTEIN, P.L.C.  
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 RESTON, VA 20191

**RECEIVED**

FEB 16 2006

GREENBLUM &amp; BERNSTEIN PLC

CONFIRMATION NO. 9010

371 FORMALITIES LETTER



\*OC000000018032120\*

Date Mailed: 02/14/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/27/2004
- English Translation of the IA filed on 12/27/2004
- Copy of the International Search Report filed on 12/27/2004
- Copy of IPE Report filed on 12/27/2004
- Preliminary Amendments filed on 12/27/2004
- Information Disclosure Statements filed on 08/15/2005
- Oath or Declaration filed on 12/27/2004
- Request for Immediate Examination filed on 12/27/2004
- U.S. Basic National Fees filed on 12/27/2004
- Priority Documents filed on 12/27/2004
- Specification filed on 12/27/2004
- Claims filed on 12/27/2004
- Abstracts filed on 12/27/2004
- Drawings filed on 12/27/2004
- Paper nucleotide sequence listings filed on 12/27/2004

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130 Surcharge.**
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/517,778	PCT/JP03/08123	P26460

FORM PCT/DO/EO/905 (371 Formalities Notice)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Tetsuo IKEZONO et al. **Mail Stop PCT**  
Appl. No. : 10/517,778 (National Stage of PCT/JP2003/008123)  
I. A. Filed : June 26, 2003  
For : METHOD FOR DETECTING PERILYMPH FISTULAS

**COVER LETTER**

**Mail Stop PCT**  
Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop PCT  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

In order to comply with the requirements (copy enclosed) for the submission of an executed Declaration of the International Application set forth in the Notification mailed February 14, 2006 which sets a two-month period of response until April 14, 2006, Applicants hereby submit:

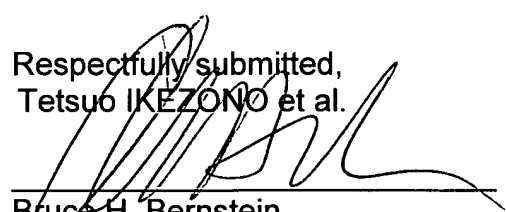
- Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371;
- an executed Declaration and Power of Attorney;
- a Statement that the Content of the Paper and Computer Readable Copies are the Same;
- a diskette containing sequence listing together with paper copy/written paper of the same (5 pages);
- a Supplemental Preliminary Amendment; and

- a check in the amount of \$130.00 to cover the surcharge for late filing of the Declaration.

The U.S. Patent and Trademark Office is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 19-0089.

Should the Examiner have any questions, he is invited to contact the undersigned at the below-listed number.

Respectfully submitted,  
Tetsuo IKEZONO et al.



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April 13, 2006  
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